THE HON'BLE MS JUSTICE G.ROHINI

–

WRIT PETITION NO : 26125 of 2005

Dated: 02-03-2006

Between:

M.Prasad

..... PETITIONER

AND

The Superintendent of Police,

Chittoor District. Chittoor. A.P. and five others

.....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 26125 of 2005

O R D E R:

This writ petition is filed seeking a declaration that the alleged action of the respondents 1 to 4 in not initiating criminal proceedings against the

respondents 5 and 6 is arbitrary and illegal.

It is stated that the petitioner filed a complaint before the Court of IV Additional District Magistrate, Chittoor, against the respondents 5 and 6 alleging offences punishable under Sections 167, 170, 196, 200, 419, 427, 465, 472, 474 & 500 I.P.C. The grievance of the petitioner is that the respondents 1 o 4 failed to take necessary steps pursuant to the said complaint made by him. Hence, this writ petition.

In response to the Rule Nisi ordered on 07-12-2005, on behalf of respondents 1 to 4, the Sub-Inspector of Police, Gangadhar Nellore Police Station, filed a counter affidavit stating that the learned Magistrate has forwarded the complaint made by the petitioner to the fourth respondent-Sub-Inspector of Police for enquiry and report. Accordingly, a case in Crime No.2 of 2005 was registered on 13-01-2005 under Sections 167, 170, 196, 200, 419, 427, 465, 472, 474 & 500 I.P.C. It is further stated that the investigation has been taken up and five witnesses were examined during the course of examination which corroborate the allegations in the First Information Report. It is also stated that some more witnesses are required to be examined and the investigation will be completed as expeditiously as possible and appropriate report will be filed before the competent Court. It is also stated that the investigation is going on impartially and they will take necessary action in accordance with law.

In view of what has been stated in the counter affidavit, no further adjudication is necessary in the writ petition.

Accordingly, recording the statement of the respondents
1 to 4 in the counter affidavit, the writ petition is disposed of with a direction to the respondent 1 to 4 to complete the investigation in Crime No.2 of 2005, if not already completed, as expeditiously as possible and file report before the competent Court and take the necessary action, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

_____

G.ROHINI,J

Dated: 02-03-2006

klp